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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Examiner: Not yet assigned  
Testa et al. ) Art Unit: 1645  
Serial No. 10/785,168 )  
Filing Date: February 23, 2004 )  
For: "MODULATION OF )  
APPL EXPRESSION" )

**Certificate of Mailing Under 37 CFR §1.8(a)**

I hereby certify that this Correspondence is being deposited on August 30, 2004 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.

*Janice M. Nightlinger*  
Janice M. Nightlinger


**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS UNDER 37 C.F.R. §1.821-1.825**

To comply with the requirements under 37 C.F.R. §§1.821-1.825, submitted herewith is a corrected sequence listing of the nucleotide sequences presented in the above-referenced application. The corrections in the sequence listing address the errors set forth in the notice to comply. The sequence listing is being submitted in both paper copy and computer-readable form. Applicants respectfully request that the sequence listing filed July 7, 2004 be replaced with this sequence listing. The undersigned hereby verifies that the paper copy and computer-readable form of the sequence listing are identical and do not contain any new matter.

In the event that a fee is required, the Commissioner is authorized to charge the account of the undersigned, Account No. 04-1406. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DANN, DORFMAN, HERRELL AND SKILLMAN  
A Professional Corporation

By   
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